

BOILER EXAMINERS BOARD

C/o 16a Atlantic Avenue, Shorelands
Pt. Cumana

Telephone Phone No: 620-7295

28th April 2015

Mr. Errol Mc Leod
Minister of Labour and Small and Micro Enterprises Development
Ministry of Labour and Small and Micro Enterprises Development
Tower C, Level 6, International Waterfront Centre
1 Wrightson Road
Port of Spain

Dear Minister:

Re: Submission of Annual Administrative Reports Under Section 66D of the Constitution for the period October 1, 2013 to September 30, 2014

I refer to my letter dated April 16th, 2015 re: above, and will humbly like to inform you of an addition to the Report as follows:

Section 3, **POLICIES AND DEVELOPMENT INITIAIVES**

c. Accomplishments

This section is included in the final Report and is hereby submitted. The **TABLE OF CONTENTS** has been changed accordingly.

Please feel free to contact me at 620-7295 should you need further information or clarification.

Yours truly,



Roger A. Camacho
Chairman
Boiler Examiners Board

Encl: Final Annual Administrative Report

**BOILER EXAMINERS
BOARD**

**ANNUAL ADMINISTRATIVE
REPORT**

FOR THE PERIOD

1ST October 2013 TO 30TH September 2014

**Roger A. Camacho
Chairman**

ANNUAL ADMINISTRATIVE REPORT
FOR THE PERIOD
1st October 2013 TO 30th September 2014

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BOILER EXAMINERS BOARD

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ANNUAL ADMINISTRATIVE REPORT **FOR THE PERIOD** **1st October 2013 TO 30th September 2014**

1. MISSION STATEMENT

The members of the Boiler Examiners Board shall conduct themselves, and carry out the Board's statutory mandate with integrity, honesty, morality and professionalism.

The Board shall act expeditiously and fairly in making its recommendations to the Ministry of Labour and its associated institutions.

The Board in its recommendations to the Ministry of Labour will always place the safety of workers and the general public first.

2. ORGANIZATIONAL STRUCTURE

- a. Organisational Profile. The members of the Boiler Examiners Board are appointed by the Minister of Labour Small and Micro Enterprises Development. The Board comprises a Chairman and four other members, and for this administrative period was as follows:

(i)	Mr. Roger A. Camacho -	Chairman
(ii)	Prof. Winston Mellows -	Member
(iii)	Mr. Jinda Maharaj -	Member
(iv)	Mr. Ramdeo Maraj -	Member
(v)	Mr. Sarran Ramoutar -	Member

- b. Services Provided. The main function of the Board is to consider applications for Licences to Examine Boilers and Air Pressure Containers and make recommendations to the Minister of Labour and Small and Micro Enterprises Development.

- c. Legislative and Regulatory Framework. The Boilers Examiners Board was originally established under the Factories Ordinance No. 44 of 1946. This Ordinance was repealed and effectively replaced by Act No. 1 of 2004 and its Amendments, otherwise known as OSHA 2004. However the Boiler Examiners Board retains its validity under the “Boilers Regulations” (Appendix 1) and “Special Provisions for Safety in the Case of Air Pressure Containers” (Appendix 2) from the Factory Ordinance which have been retained under Section 98 (2) of OSHA 2004.

The Boiler Regulations paragraph 4 (a) states, “The Minister shall, on the recommendations of the Board, appoint a person on a panel of boiler examiners for a period of three years and shall issue to every person so appointed a licence authorising him to examine and test steam boilers under the provisions of the Ordinance.” After three years, another application must be submitted for renewal. The Board may be requested to consider applications for the renewal of a Licence.

It is to be noted that paragraph 4 (c) in the Boiler Regulations states, “*No member of the Board shall be appointed on the panel of boiler examiners*”.

- d. Reporting Functions. The Board reports to the Minister of Labour and Small and Micro Enterprises Development (MOLSMED) through the Permanent Secretary and Director of Planning. However, the majority correspondence is with the Chief Inspector, Occupational Safety and Health Authority and Agency. The MOLSMED is copied in all correspondence from the Board.

3. POLICIES AND DEVELOPMENT INITIATIVES

- a. Plans. The Board has no executive authority other than what was stated in section 2. b. above. However, the Board has made several recommendations to the OSH Agency in an effort to improve the safety and administrative capability in the management of the boilers and pressure vessels that are in operation in the country.

These recommendations are listed below as follows:

- (i) Appoint an officer in the OSH Agency to be responsible for the administration of the Boiler Regulations.

(ii) Consider changes to the Boiler Regulations as follows:

1. Registration and Classification of Boilers.
2. Classification of Boiler Examiners.
3. Training of Boiler Examiners.
4. Fee Structure for Boiler Examiners.
5. Penalties.
6. Format for the Report produced after an Examination of Boilers and Air Pressure Containers.
7. Container containing gases other than air.
8. Establish a liaison with International Societies for Inspection of Boilers and Pressure Vessels.

After meeting with the OSH Agency and the MOLSMED it became apparent that legal advice was necessary in order to move forward with the recommendations in the above paragraph. The Board therefore requested legal advice from the MOLSMED. A written legal opinion has been received after this reporting period and will be included in the Annual Administrative Report for the period 1st October 2014 to 30th September 2015.

- b. Policies of the Board for the Recommendation of Licences. Persons wishing to examine boilers and air pressure containers apply to the Minister of Labour and Small and Micro Enterprises Development for a licence. The Minister may pass on the application to the Chief Inspector, now of the OSH Authority and Agency, who may request the Board to make recommendations with respect to the applicant.

All new applicants for licences are required to be interviewed by the Board. The Board will meet to consider the applications and interview the applicants generally within fourteen days of receiving the applications from the Chief Inspector. The decision of the Board with a written recommendation is sent to the Chief Inspector within seven days after the Board meeting.

The candidates that are interviewed by the Board must demonstrate the following:

- (i) Knowledge of the laws of thermodynamics.
- (ii) Knowledge of boiler water chemistry and treatment.
- (iii) Knowledge of material science, welding technology, non-destructive testing technology and corrosion science.
- (iv) Knowledge of the structure and function of different types of boilers and air pressure vessels.
- (v) Knowledge and experience in the operation of the different types of boilers and air pressure containers.

- (vi) An understanding of the legal requirements for the operation of boilers and air pressure containers in Trinidad and Tobago.
- (vii) Complete knowledge and understanding of all the safety features of boilers and air pressure containers.
- (viii) A general maturity of character that is inherent with the responsibility of a licence holder.

The Board also considers applications for renewal of licences but these cases do not normally require an interview. The Board may request the Chief Inspector to provide more information on an applicant before a determination is made. The Board does not correspond directly with any applicant. All members of the Board must unanimously agree on the application for the issue of a new license or a renewal. All members of the Board must sign the approval form for the issue of a new license. No such form is produced by the OSH Agency for a renewal, but all members must agree on the renewal of a license which is reflected in the minutes of the Board Meeting held to consider the applications for renewal. Applications for renewals may be considered via "e-meetings". The decision of the Board with a written recommendation is sent to the Chief Inspector within seven days after the Board meeting.

c. Accomplishments.

Renewal of Licenses: The Board approved the applications for the renewal of two licenses – Mr. Ashley Menzies and Mr. Romeo Persad.

New Applications: The Board received two applications for the issue of new licenses – Mr. Clyde Jagroop and Mr. Rishan Rampersad. Mr. Rampersad cancelled his interview therefore the board could not make any recommendation with respect to his application.

The Board interviewed Mr. Jagroop on 28th August 2014 and concluded that although he was very qualified and experienced in the inspection of pressure vessels and pipelined, he expressed only a cursory knowledge of boilers. The Board recommended that he be issued with a license to inspect pressure vessels only, but not boilers. The issue of separate licenses is still a matter under legal review and may need the input from the Parliament for a resolution.

Other: The Board began a review of technical OSHA documents titled "Regulations" and "Code of Practice" for Pressure Systems.

The Board arranged a meeting with the MOLSMED and OSHA to discuss the issuing of a separate license for the inspection of Boilers and a separate license for the inspection of Pressure Vessels. Out of this meeting

a formal request for legal advice from the ministry's legal counsel was made.

The Board met with the "new" Permanent Secretary, Ms. Cecilia Greaves-Smith to acquaint her with the operations of the Board.

4. **FINANCIAL OPERATIONS**

The Board neither receives nor dispenses any funds whatsoever. However, members are paid modest fees and allowances classified under **Group D**.

5. **HUMAN RESOURCES**

There are no employees or workers employed by the Board. The Board receives administrative assistance from the Ministry of Labour and Small and Micro Enterprises Development.

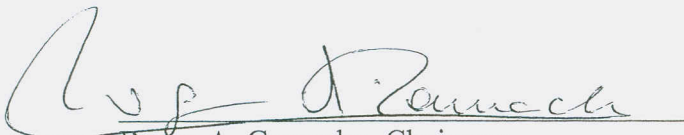
6. **PROCUREMENT PROCEDURES**

The Board neither purchase any materials whatsoever nor enter into any contractual arrangements.

7. **PUBLIC AND COMMUNITY RELATIONS**

The Board has made recommendations to the OSH Agency to engage the Licensed Examiners in a strategic relationship to listen to their concerns and suggestions to improve the management of the inspection process in the country.

The Board is involved with the National Bureau of Standards and the OSH Agency in updating legislation and improving standards in the Safety of Pressure Systems.


Roger A. Camacho, Chairman

April 2015

APPENDIX 1

LAWS OF TRINIDAD AND TOBAGO
Ch. 30. No. 2 *Factories*

[Subsidiary]

BOILERS REGULATIONS
ARRANGEMENT OF REGULATIONS

REGULATION

1. Short title and application.
2. Interpretation.
3. Appointment of Boiler Examiners Board.
4. Appointment of boiler examiners.
5. Rules for guidance of boiler examiners.
6. Fee for examination of boiler.
7. Board may suspend or cancel licence.
8. Board may recommend cancellation of licence.
9. Publication in *Gazette*.
10. Examination of boiler.
11. Period between examinations.
12. Power of competent person to extend period.
13. Boiler examiner to report to Inspector on essential repairs or reduction in working pressure.
14. Examination of boiler previously used.
15. Safety valve to be operated every week.
16. Safety valve adjustment to be sealed.
Penalty for breaking seal.
17. Boiler blow down attachments.
18. Notice to Inspector of explosion and power of Minister to direct formal investigation.

BOILERS REGULATIONS
Regulations made under section 33

1. These Regulations may be cited as the Boilers Regulations, and shall apply, subject to the provisions of the Ordinance, to every steam boiler to which section 23 of the Ordinance applies and to every factory premises or other place where any such steam boiler is situated:

Provided that if the Senior Inspector is satisfied as respects any steam boiler, that any of the requirements of these Regulations can be suspended or relaxed without risk of danger to persons employed on the premises on which such steam boiler is situate, or that the application of these Regulations or any provision thereof is for any reason impracticable, he may by certificate in writing authorise such suspension or relaxation for such period and subject to such conditions as he may think fit: Provided further that any such certificate may at any time be varied or revoked by the Senior Inspector in his discretion.

2. In these Regulations the expression "Ordinance" means the Factories Ordinance, and any other expression used which is defined in section 3 or 23 of the Ordinance has the same meaning as that assigned to it in the Ordinance.

3. (1) There shall be established a Boiler Examiners Board (hereinafter called "the Board") consisting of a Chairman and four other members all of whom shall have special qualifications in and have had experience of matters relating to, mechanical engineering.

(2) The Minister shall appoint members of the Board and may in making any such appointment consult with any appropriate professional organisations or institutions.

4. (a) The Minister shall, on the recommendations of the Board, appoint persons on a panel of boiler examiners for a period of three years and shall issue to every person so appointed a licence authorising him to examine and test steam boilers under the provisions of the Ordinance.

(b) For the purposes of section 23 of the Ordinance and of these Regulations no person shall be deemed a competent person who does not hold an uncanceled or unsuspended licence as aforesaid.

(c) No member of the Board shall be appointed on the panel of boiler examiners.

5. Every boiler examiner shall, when making an examination of a boiler in accordance with the requirements of the Ordinance or these Regulations, take note of and observe any rules or notes for the guidance of the boiler examiners made by the Board.

6. (a) The Minister shall, with the advice of the Board, determine the fees which shall be paid for examinations carried out under the Ordinance or these Regulations and the amount and nature of the allowance to be paid in respect of the expenses necessarily incurred by boiler examiners in the performance of their duties.

(b) A list of all such fees and allowances together with a list of the competent persons on the panel of boiler examiners shall be published in the *Gazette* on the 1st January or as soon as possible thereafter in each year.

(c) No person shall be paid or receive any amount other than any such fee or allowance and any actual expenses incurred in excess of any such fee or allowance for any such examination.

7. (a) In the event of a dereliction of duty by a competent person for which no proceedings are taken under subsection (11) of section 23 of the Ordinance or under these Regulations the Board may suspend the licence of such person for such period not exceeding three years and not less than six months as it thinks fit.

(b) In the event of a conviction of a competent person of an offence under subsection (J 1) of section 23 of the Ordinance or under these Regulations, or of any offence which involves infamous conduct in a professional respect, in addition to any penalty which the Court may inflict such person shall be removed from the panel of boiler examiners and his licence shall be cancelled by the Board.

LAWS OF TRINIDAD AND TOBAGO
Factories Ch. 30. No. 2

Boilers Regulations [Subsidiary]

8. The Board may, if it thinks fit, for adequate reasons stated in writing, recommend to the Minister the removal of any person from the panel of boiler examiners and the cancellation of his licence.

9. Every such nomination, appointment, issue of licence, suspension, removal and cancellation as aforesaid shall be published *in* the *Gazette*.

10. Any examination of a steam boiler in accordance with the requirements of section 23 of the Ordinance shall consist, *in* the first place, of an examination of the boiler when it is cold and the interior and exterior have been prepared to the satisfaction of the competent person, and secondly, except in the case of an economiser or superheater, of an examination when it is under normal steam pressure; the examination under steam pressure shall be made on the first occasion when steam is raised after the examination of the boiler when it is cold or as soon as possible thereafter, and the person making the examination shall see that the safety valve is so adjusted as to prevent the boiler being worked at a pressure greater than the maximum permissible working pressure.

11. For the purpose of subsection (7) of section 23 of the Ordinance the period of twelve months from one examination to the next shall start from the date of completion of the examination of the boiler under normal steam pressure.

12. A competent person may extend the period between any two examinations of a steam boiler by not more than one month in the event of an emergency when serious loss or damage would be caused if the boiler was shut down for examination at the prescribed time. After any such extension the boiler shall be next examined within the succeeding eleven months.

13. The person making the report of any examination under section 23 of the Ordinance or these Regulations shall, within twenty-eight days of the completion of the examination, send to the Inspector for the district a copy of the report in every case where the maximum permissible working pressure is reduced or the examination shows that the boiler cannot continue to be

LAWS OF TRINIDAD AND TOBAGO
Factories Ch. 30. No. 2

Boilers Regulations [Subsidiary]

used with safety unless certain repairs are carried out immediately or within a specified time.

14. For the purpose of subsection (9) of section 23 of the Ordinance the examination of a boiler which has previously been used, on being taken into use again, shall include an hydraulic test on the site where *it* is going to be used to at least one and a half times the maximum permissible working pressure.

15. Every boiler safety valve shall be provided with means by which it can be safely operated by hand while it *is* under steam pressure and every such valve shall be so operated at least once in every week in which the boiler is used. A record of every such hand operation of a safety valve shall be entered in a book to be provided and kept for the purpose and every such entry shall be signed by the person who operated the valve.

16. (a) On every safety valve means shall be provided where practicable for securing the adjustment with a seal in such a manner that the adjustment cannot be altered unless the seal is broken.

(b) Every boiler examiner shall, on each occasion that he adjusts a safety valve provided with such means, secure the adjustment with a seal and if any person other than a boiler examiner, or a person working under his direct control and supervision, breaks the seal or causes it to be broken he shall be guilty of an offence and liable to a fine of forty-eight dollars.

17. The outlet of the blow down cock, valve or pipe on every boiler shall be in such a position or so arranged as to prevent as far as possible danger to any person.

18. (a) In the event of an explosion of a boiler written notice thereof shall forthwith be sent to the Senior Inspector, and if such notice is not so sent the occupier of the factory in which the boiler is situated or the owner or hirer of the boiler, as the case may be, shall be guilty of an offence and liable to a fine of forty-eight dollars.

LAWS OF TRINIDAD AND TOBAGO
Factories Ch. 30. No. 2

Boilers Regulations [Subsidiary]

(b) The Senior Inspector on receipt of any such notice shall make an enquiry into the causes and results of the explosion and shall forward a report of his findings to the Minister and if, upon consideration of the Senior Inspector's report, the Minister thinks fit he may direct that a formal investigation into the explosion be held in the same manner as provided under section 40 of the Ordinance for the formal investigation of accidents and cases of disease, and for the purpose of the investigation the provisions of the said section shall apply as if the explosion were an accident or case of disease.

FEES AND ALLOWANCES PAYABLE
TO BOILER EXAMINERS

The following list of fees and allowances payable to Boiler Examiners is published for general information in accordance with Regulation No. 6 (b) of the Boilers Regulations:

FEES	
Examination of steam boiler when cold: Up to and including 5 N.H.P.	\$ c 7. 50
Between 5 and 120 N.H.P.	10. 00
120 N.H.P. and over	20.00
Examination of steam boiler under normal steam pressure:	
Up to and including 5 N.H.P.	5. 00
Between 5 and 120 N.H.P.	7. 50
120 N.H.P. and over	10.00
Examination of superheater when cold	5. 00
Examination of Economiser when cold	10. 00
Examination of Air Pressure Container	7. 50
Adjustment of safety valve if carried out on an occasion separate from the above ...	5. 00

ALLOWANCES

In Trinidad-Mileage allowance at the rate of 15 cents per mile for each journey made to the premises in which the steam boiler or other plant is situated, the mileage to be reckoned for the return journey from the boiler examiner's residence or business address whichever is nearer the premises visited.

LAWS OF TRINIDAD AND TOBAGO
Ch. 30. No. 2 *Factories*

[Subsidiary]

Boilers Regulations

Where the boiler examiner visits two or more premises on the same day the aggregate of mileage allowances charged by him shall not exceed an amount equal to the total distance necessarily travelled multiplied by fifteen cents and shall be apportioned as far as possible in the same proportion as the fees charged, so however that the allowance charged in respect of anyone visit shall not exceed the allowance chargeable if no other visit had been made on that day.

In Tobago-The actual expenses necessarily incurred by the boiler examiner in connection with subsistence and travelling for the return journey from his residence to the premises visited. Where the subsistence and travelling expenses relate to visits paid to more than one premises they shall be apportioned so far as possible in the same proportion as the fees charged.

BOILER EXAMINERS

The following list of competent persons on the panel of Boiler Examiners is published for general information in accordance with regulation No. 6 (b) of the Boilers Regulations.

LIST OF BOILER EXAMINERS

Messrs.	W. BOYD, M.I.Mech.E., A.M.L. Strucl.E. J. BUCHANAN. F B. CARMICHAEL, M.I.Mech.E., M.I.Loco.E. W. J. CONOLLY, M.I.Mar.E. J. C. CUBITI, M.I.Mar.E. W. M. DICKSON, A.M.I.Mech.E. ROBERT DICK. T. DUNCANSON. D. D. GILSON. L. C. HENZELL, A.M.I.Mech.E. W. H. HILWELL, M.I.Mar.E. Geo. McKAY . J. Macauley, M.I.Mech.E. T. A. Molyneux, M.I.Mar.E . J. L. C. ROGERS, M.I.MaLE. R. M. TORRY . I. TURNIULL. C. T. WATTS, M.I.Mech.E. F K. WORSLSEY. A.M.I.Mech.E.
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APPENDIX 2

LAWS OF TRINIDAD AND TOBAGO
Factories Ch. 30. No. 2

[Subsidiary]

SPECIAL PROVISIONS FOR SAFETY IN THE CASE OF AIR PRESSURE CONTAINERS

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and application.
2. Interpretation.
3. Competent person.
4. Rules for guidance of competent persons.
5. Fee for examination of air pressure container.
6. Suspension or cancellation of licence.
7. Safety valve directly to container.
8. Safety valve adjustment to be sealed. Penalty for breaking seal.
9. Hydraulic test.
10. Daily test of safety valve and draining of container.
11. Examination and test after alteration or repair.

SPECIAL PROVISIONS FOR SAFETY IN THE CASE
OF AIR PRESSURE CONTAINERS

Regulations made under section 33

1. These Regulations may be cited as the Air Pressure Containers Regulations, and shall apply, subject to the provisions of the Ordinance, to every air pressure container to which section 24 of the Ordinance applies:

Provided that if the Senior Inspector is satisfied, as respects any air pressure container, that any of the requirements of these Regulations can be suspended or relaxed without risk of danger to the persons employed on the premises on which such air pressure container is situate, or that the application of these Regulations or any provision thereof is for any reason impracticable, he may by certificate in writing authorise such suspension or relaxation for such period and subject to such conditions as he may think fit: Provided further that any such certificate may at any time be varied or revoked by the Senior Inspector in his discretion.

2. In these Regulations the expression "Ordinance" means the Factories Ordinance, and the expressions "air pressure container" and "safe working pressure" have the same meanings respectively as those assigned to them in section 24 of the Ordinance, and any other expression used which is defined in section 3 of the Ordinance has the same meaning as that assigned to it in the Ordinance.

3. For the purposes of section 24 of the Ordinance and of these Regulations, the expression "competent person" means the holder of an uncanceled or unsuspended licence to examine and test steam boilers issued under the Boilers Regulations.

4. The Boiler Examiners Board may, in any rules or notes for the guidance of boiler examiners made under the Boilers Regulations, include rules or notes for the guidance of competent persons in the examination of air pressure containers and the provisions of regulation 5 of the said Regulations shall apply to

LAWS OF TRINIDAD AND TOBA GO
Factories Ch. 30. No. 2

Special Provisions/or Safety in the case of Air Pressure Containers [Subsidiary]

every competent person when making any examination of an air pressure container required by the Ordinance or these Regulations as if they were included in these Regulations.

5. The provisions of regulation 6 of the Boilers Regulations, shall apply with respect to examinations of air pressure containers carried out under the Ordinance or these Regulations as if they were included in these Regulations.

6. The provisions of regulation 7 of the Boiler Regulations, shall apply to competent persons with respect to their duties under section 24 of the Ordinance and these Regulations as if they were included in these Regulations.

7. The safety valve of every air pressure container shall be directly connected to the container with no stop valve or cut off between the safety valve and the container:

Provided that where the safety valve is fitted to the pipe connecting the compressor to the container, a stop valve may be fitted between the safety valve and the container if the container is fitted with a safety bursting disc which will burst at a pressure not exceeding ten per cent more than the safe working pressure of the container. Every such disc shall be so designed and constructed as to prevent the scattering of fragments when it bursts.

8. (a) On every safety valve means shall be provided where practicable for securing the adjustment with a seal in such a manner that the adjustment cannot be altered unless the seal is broken.

(b) Every competent person shall, on each occasion that he adjusts a safety valve provided with such means, secure the adjustment with a seal and if any person other than a competent person, or a person working under his direct control and supervision, breaks the seal or causes it to be broken he shall be guilty of an offence and liable to a fine of forty-eight dollars.

9. (a) The hydraulic test pressure applied to an all pressure container in accordance with subsection (4) of

LAWS OF TRINIDAD AND TOBAGO
Ch. 30. No.2 *Factories*

Special Provisions for Safety in [Subsidiary] tile case of Air Pressure Containers

section 24 of the Ordinance shall be at least one and a half times the safe working pressure.

(b) Where an air pressure container is provided with means whereby it can be examined internally and the competent person who makes the examination required by subsection (4) of section 24 of the Ordinance is satisfied by internal examination that an hydraulic test is not necessary, such hydraulic test need not be applied.

10. On every air pressure container during the forenoon of every day on which the container is subjected to air pressure the following operations shall be carried out:

(a) the safety valve shall be operated by hand to ensure that it is working freely; and

(b) accumulations of oil and water in the container shall be thoroughly drained off:

Provided that the operation of draining off oil and water shall not be required on an air pressure container of the type defined in paragraph (c) of subsection (6) of section 24 of the Ordinance.

A record of the performance of the operations aforesaid and the results obtained shall be entered daily in a book to be provided and kept for this purpose.

11. When any alteration or substantial repair of an air pressure container has been made the container shall, before it is again brought into use, be examined and tested in accordance with subsection (4) of section 24 of the Ordinance whether it has been so examined and tested within the previous twelve months or not.